

GOVERNMENT OF ANDHRA PRADESH

**ABSTRACT**

Elections – Reservations – Andhra Pradesh Panchayat Raj (Reservation of Seats and Offices of Gram Panchayats, Mandal Parishads and Zilla Parishads), Rules, 2006 – Amendments – Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (ELEC.& RULES) DEPARTMENT

**G.O.Ms.No.128**

**Dated: 08.06.2011**

Read the following:-

- 1.G.O.Ms.No.220, PR & RD (Elecs) Department, dt.25.5.2006
- 2.G.O.Ms.No.77, PR & RD (Elec. & Rules) Department,  
Dated:07.04.2011.
- 3.From the Commissioner, PR&RE, Hyderabad Lr.No.15683/M1/  
2010-23, dt. 03.05.2011.
- 4.Govt.MemoNo.9891/E&R/A2/2011-1,PR&RD(E&R)department  
dt. 20.05.2011.
5. From the Commissioner, PR&RE, Hyderabad Lr.No.15683/M1/  
2010, dt. 31.05.2011.
- 6.Govt.MemoNo.9891/E&R/A2/2011-2,PR&RD(E&R),Department  
dt. 04.06.2011.

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**ORDER:-**

The following Notification will be published in an extra-ordinary Issue of the Andhra Pradesh Gazette Dated: 08.06.2011

**NOTIFICATION**

In exercise of the powers conferred by sub-section (1) of section 268 read with sections 9, 15, 152, 153, 180, 181 and 242D of the Andhra Pradesh Panchayat Raj Act, 1994 (Act No.13 of 1994), the Governor of Andhra Pradesh, hereby makes the following amendments to the Andhra Pradesh Panchayat Raj (Reservation of Seats and Offices of Gram Panchayats, Mandal Parishads and Zilla Parishads) Rules, 2006 issued in G.O.Ms.No.220 P.R & R.D. Department, dated 25.5.2006 and published in the Rules supplement to part VII, Extraordinary of the Andhra Pradesh Gazette No.5 dated 6<sup>th</sup> June, 2006 as subsequently amended.

**AMENDMENTS**

In the said rules:

1. for Rule 19, the following shall be substituted, namely:-

“19. The cycle for reservation for women in each category must be completed in two elections with 50% reservations”.

2. sub-rule (1) of Rule 14 shall be omitted and the sub-rules (2),(3), (4) and (5) shall be renumbered as (1), (2), (3), and (4) respectively.

3. for Rule 7, the following shall be substituted, namely:-

“7 (1) The Commissioner shall determine in the first instance, the number of offices of Sarpanchas of Gram Panchayats to be reserved for the members belonging to Scheduled Tribes and Scheduled Castes, subject to the condition that the number of offices reserved for Scheduled Tribes shall be 8.25% and for Scheduled Castes 18.30% of the total number of offices of Sarpanchas of Gram Panchayats in the **State** and then allot to each District on the basis of the proportion of the population of the Scheduled Tribes or of the Scheduled Castes in the District to the total population of the District.

**Contd. P.2**

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Provided that all the offices of Sarpanchas wholly located in Scheduled Areas shall be reserved for Scheduled Tribes."

(2) For the purposes of determining number of offices to be reserved for Backward Classes, the Commissioner, Panchayat Raj shall determine 34% of the offices to the members belonging to the Backward Classes and allot to each district on the basis of the proportion of population of BCs in that district.

(3) Thereafter the Commissioner, Panchayat Raj shall communicate the same to all the District Collectors in respect of the Gram Panchayats falling within their respective districts.

4. for Rule 8, the following shall be substituted, namely:-

**"8** (1) The Commissioner shall reserve for women one-half of the number of offices reserved for Scheduled Tribes, Scheduled Castes and Backward Classes and one-half of the unreserved offices in each District.

(2) While communicating the number of offices to be reserved for Scheduled Tribes, Scheduled Castes and Backward Classes, the Commissioner shall also communicate to the District Collector the number of offices to be reserved for women from among these categories and also the number of offices to be reserved for women from among the un-reserved offices in respect of each District.

(3) The District Collector in his turn shall on receipt of the communication determine in the first instance the number of offices of Sarpanchas to be reserved in each Mandal Parishad for Scheduled Tribes and Scheduled Castes subject to the condition that the number of offices so reserved shall bear as nearly as may be, the same proportion as the population of the Scheduled Tribes or as the case may be, Scheduled castes in the Mandal Parishad bears to the total population of the Mandal Parishad concerned.

Provided that all the offices of Sarpanchas wholly located in Scheduled Areas shall be reserved for Scheduled Tribes.

For the purpose of determining number of offices of Sarpanchas to be reserved for the Backward classes, the District Collector shall arrive at this number on the basis of the Mandal proportionate percentage of Backward Classes arrived at in the manner specified below:

$$\begin{array}{lcl} \text{Mandal Proportionate} & & \text{Reservation for BCs} \\ \text{Percentage of} & & \text{in the State ( 34\%)} \\ \text{Backward Class} & = & \frac{\text{-----}}{\text{State Percentage of BCs (39.39\%)}} \times \text{Mandal BCs} \\ & & \text{Percentage} \end{array}$$

$$= 0.863 \times \text{Mandal Backward Class Percentage.}$$

Explanation:- (i) Percentage of Backward Classes reservation is 34% as provided in the Act.

(ii) State Percentage of Backward Classes is 39.39% as projected by the Directorate of Economics and Statistics as on 1.3.2001 from the data of Socio- Economic Survey conducted by the Andhra Pradesh Backward Classes Finance Corporation Limited.

(iii) Mandal Backward Classes percentage is the figure as projected by the Directorate of Economics as on 1.3.2001 from the data of Socio - Survey referred to above .

(4) The District Collector shall reserve for women one-half of the number of offices reserved for Scheduled Tribes, Scheduled Castes and Backward Classes and one-half of the unreserved offices in each District.

(5) While communicating the number of offices to be reserved for Scheduled Tribes, Scheduled Castes and Backward Classes, the District Collector shall also communicate to the RDO the number of offices to be reserved for women from among these categories and also the number of offices to be reserved for women from among the unreserved offices in respect of each District.

(6) The RDO in his turn shall on receipt of the communication shall allot offices of Sarpanchas in each Mandal Parishad for the members belonging to Scheduled Tribes, Scheduled Castes, Backward Classes and women. He shall allot offices to the Scheduled Tribes in the first instance where the proportion of the population of the Scheduled Tribes to the total population of the Gram Panchayat concerned is the highest in the descending order.

(7) After excluding the Gram Panchayats reserved for Scheduled Tribes, the RDO, shall reserve from among the other Gram Panchayats the Offices for the Scheduled Castes allocated to each Mandal where the proportion of the population of the Scheduled Castes of the Mandal Parishad to the total population of the Mandal Parishad concerned is the highest in the descending order.

(8) After excluding the Gram Panchayats reserved for Scheduled Tribes and Scheduled Castes in the Mandal Parishad, the Revenue Divisional Officer shall reserve from among the other Gram Panchayats, the offices for the Backward classes where the proportion of voters belonging to Backward classes in the Gram Panchayat to the total voters in the Gram Panchayat is the highest in the descending order.

(9) The Revenue Divisional Officer shall reserve one-half of the offices for women in each of the category from out of the SC,ST,BC and unreserved categories on the basis of the highest proportion of the population of women to the total population of the Gram Panchayat concerned in the descending order.

5. sub-rule (2) of Rule 9 shall be omitted and there after sub-rule (3) shall be renumbered as sub rule (2).

6. for sub-rule (2) of Rule 15, the following shall be substituted namely,

“(2) Candidates elected from any of the Territorial Constituencies shall be eligible to contest for the office of the President, MPP., provided such candidate belongs to the same category for which the office is reserved and though not elected from a reserved Territorial constituency.”

7. for sub-rule (2) of Rule 23, the following shall be substituted namely,

“(2) Candidates elected from any of the Territorial Constituencies shall be eligible to contest for the office of the Chairperson, Zilla Praja Parishad, provided such candidate belongs to the same category for which the office is reserved and though not elected from a reserved Territorial constituency.”

8. For the proviso to Rule 6, the following shall be substituted, namely, -  
“(i) For allotting the offices/seats by rotation ST, ST(w), SC,SC(w), BC BC(w), UR and UR(w) shall be treated as separate categories.

Provided, such of those seats/office which could not be reserved in the first and second cycle though they were eligible in the descending order but were allotted to the other categories due to order of preference in allotment as per descending order or proportionate population, in those categories shall be allotted first before going to the seats/offices in the second cycle.

(ii) Those seats / offices, which lost their reservation as a result of repeating the reservation second time in that cycle, should be reserved in the ensuing elections in those districts or wherever applicable.”

9. For the second proviso to sub-rule (3) of Rule 9, the following shall be substituted, namely,-

“(i) For allotting the offices / seats by rotation ST, ST(w), SC,SC(w), BC, BC(w), UR and UR(w) shall be treated as separate categories.

Provided, such of those seats/office which could not be reserved in the first and second cycle though they were eligible in the descending order but were allotted to the other categories due to order of preference in allotment as per descending order or proportionate population, in those categories shall be allotted first before going to the seats/offices in the second cycle.

(ii) Those seats / offices, which lost their reservation as a result of repeating the reservation second time in that cycle, should be reserved in the ensuing elections in those districts or wherever applicable.”

10. For the proviso Rule 12, the following shall be substituted, namely,-

“(i) For allotting the offices / seats by rotation ST, ST(w), SC,SC(w), BC, BC(w), UR and UR(w) shall be treated as separate categories.

Provided, such of those seats/office which could not be reserved in the first and second cycle though they were eligible in the descending order but were allotted to the other categories due to order of preference in allotment as per descending order or proportionate population, in those categories shall be allotted first before going to the seats/offices in the second cycle.

(ii) Those seats/offices, which lost their reservation as a result of repeating the reservation second time in that cycle, should be reserved in the ensuing elections in those districts or wherever applicable.”

11. For the proviso to sub rule 3 of Rule 15, the following shall be substituted, namely,-

“(i) For allotting the offices / seats by rotation ST, ST(w), SC, SC(w), BC, BC(w), UR and UR(w) shall be treated as separate categories.

Provided, such of those seats/office which could not be reserved in the first and second cycle though they were eligible in the descending order but were allotted to the other categories due to order of preference in allotment as per descending order or proportionate population, in those categories shall be allotted first before going to the seats/offices in the second cycle.

- ii) Those seats / offices, which lost their reservation as a result of repeating the reservation second time in that cycle, should be reserved in the ensuing elections in those districts or wherever applicable."

12. For the proviso to Rule 20, the following shall be substituted, namely,-

- "(i) For allotting the offices / seats by rotation ST, ST(w), SC, SC(w), BC, BC(w), UR and UR(w) shall be treated as separate categories.

Provided, such of those seats/office which could not be reserved in the first and second cycle though they were eligible in the descending order but were allotted to the other categories due to order of preference in allotment as per descending order or proportionate population, in those categories shall be allotted first before going to the seats/offices in the second cycle.

- ii) Those seats/ offices, which lost their reservation as a result of repeating the reservation second time in that cycle, should be reserved in the ensuing elections in those districts or wherever applicable."

13. For the proviso to sub -rule 3 of Rule 23, the following shall be substituted, namely,-

- "(i) For allotting the offices / seats by rotation ST, ST(w), SC, SC(w), BC, BC(w), UR and UR(w) shall be treated as separate categories.

Provided, such of those seats/office which could not be reserved in the first and second cycle though they were eligible in the descending order but were allotted to the other categories due to order of preference in allotment as per descending order or proportionate population, in those categories shall be allotted first before going to the seats/offices in the second cycle.

- ii) Those seats / offices, which lost their reservation as a result of repeating the reservation second time in that cycle, should be reserved in the ensuing elections in those districts or wherever applicable."

14 . In Rule 9, under sub-rule 3, for explanation(i), the following shall be substituted, namely,-

"Explanation (i) fraction will be rounded off in descending order only to the extent required to arrive at actual number as per percentage. "

15 . In Rule15, under sub-rule 3, for explanation(i), the following shall be substituted, namely,-

"Explanation (i) fraction will be rounded off in descending order only to the extent required to arrive at actual number as per percentage. "

16 . In Rule 23, under sub-rule 3, for explanation (i), the following shall be substituted, namely,-

"Explanation (i) fraction will be rounded off in descending order only to the extent required to arrive at actual number as per percentage. "

17. In sub-rule (i) of rule 17, for the word " Scheduled Caste", the word " Scheduled Tribes" shall be substituted .

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18. In sub-rule (i) of rule 17, for the following shall be added at the end namely,

" After excluding the ZPTC's reserved for Scheduled Tribes, the District Collector, shall reserve from among the other ZPTCs the offices for the Scheduled Castes allocated to each District under rule 16 where the proportion of the Scheduled Castes of the ZPTC to the total population of the ZPTC concerned is the highest in the descending order ."

19. In rule 6, in the second sentence, the words " and Women" shall be omitted .

20 . In sub-rule (1) of Rule 9, in the second sentence, the words " and Women" shall be omitted.

21. In rule 12, in the second sentence, the words " and Women" shall be omitted.

22. In sub-rule ( 1) of rule 15, in the second sentence, the words " and Women" shall be omitted.

23.. In rule 20, in the second sentence, the words " and Women" shall be omitted

24. In sub-rule (1) Rule 23, in the second sentence, the words " and Women" shall be omitted

Note: This will remove the bar on the same seats or offices reserved to women in earlier elections in any of the categories being reserved for women in subsequent elections in other categories.

( BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHARA PRADESH)

Dr. RAJIV SHARAMA  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Printing, Stationery and Stores Purchase (Ptg. Wing)  
Dept., Chanchalguda, Hyderabad for publication in A.P. Extraordinary  
Gazette. (He is requested to furnish 500 copies of Gazette notification to  
Government immediately).

The Commissioner, PR&RE, Hyderabad.

The Commissioner, Rural Development, Hyderabad.

The Secretary, State Election Commission, Secunderabad.

All the District Collectors

All the District Panchayat Officers

All the Chief Executive Officers of Zilla Parishads.

Copy to:

The Engineer-in-Chief (Panchayat Raj), Hyderabad.

The Law (A) Dept.

All Heads of Departments.

All Departments of Secretariat.

All Sections in Panchayat Raj and Rural Development Dept.

The P.S. to Minister (Panchayat Raj).

SF/SC

//FORWARDED:: BY:: ORDER //

SECTION OFFICER